

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**Case No. 8:03-CR-77-T-30TBM**

**HATEM NAJI FARIZ**  
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**MOTION TO EXCEED PAGE LIMIT**

Defendant, Hatem Naji Fariz, by and through undersigned counsel, and pursuant to Local Rule 3.01(c), respectfully requests that this Honorable Court allow Mr. Fariz to exceed twenty pages in his Motion to Dismiss Based on Collateral Estoppel and Memorandum of Law in Support. As grounds in support, Mr. Fariz states:

1. On December 6, 2005, following a six-month trial, the jury acquitted Mr. Fariz of counts 2, 12, 14, 15, 18, 19, 21, 34, 35, 36, 37, 41, 42, and 43. (Doc. 1467). The jury did not reach a verdict as to Counts 1, 3, 4, 20, 33, 38, 39, and 40. (Doc. 1468).

2. Mr. Fariz has prepared a motion to dismiss based on the collateral estoppel doctrine embodied in the Fifth Amendment's Double Jeopardy Clause. While counsel have endeavored to avoid unnecessary length and repetition, a few additional pages have been necessary to address the issue fully and effectively.

3. Mr. Fariz therefore would ask permission to file a motion that exceeds the twenty-page limit.

WHEREFORE, Defendant Hatem Naji Fariz respectfully requests permission to file his Motion to Dismiss Based on Collateral Estoppel in excess of twenty pages.

Respectfully submitted,

R. FLETCHER PEACOCK  
FEDERAL PUBLIC DEFENDER

/s/ M. Allison Guagliardo  
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Attorney for Defendant Fariz

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 3rd day of January, 2006, a true and correct copy of the foregoing has been furnished by CM/ECF, to Walter Furr, Assistant United States Attorney; Terry Zitek, Assistant United States Attorney; Cherie L. Krigsman, Trial Attorney, U.S. Department of Justice; William Moffitt and Linda Moreno, counsel for Sami Amin Al-Arian.

/s/ M. Allison Guagliardo  
M. Allison Guagliardo  
Assistant Federal Public Defender